IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.353 OF 2004
IN
SUIT NO.688 OF 2000

Smt.S.G.P.Barnes Plaintiff

versus

Felix D'Souza & others Defendants

Mrs.S.G.P.Barnes - plaintiff in person.

None for defendants.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 20th March 2006

PC :

1. All that the plaintiff appearing in person seeks is that the Bombay Suburban Electric Supply undertaking be impleaded as defendant no.9 to the suit because there is a dispute with regard to the ownership of the suit premises between the plaintiffs and defendants inter-se and the proposed defendant is on the strength of some documents supplying electricity. She fears that the electric meter installed being transferred, her right, title and interest in the suit

premises would be affected as the defendants would be asserting the same on the basis of documents executed by the BEST and apart from restraining them from acting upon them she claims no relief against the same.

2. None appears for the defendants as well as proposed defendants/respondents despite service. For a proper and complete appreciation of the controversy and to pass effective and complete decree in the suit, presence of respondent would be necessary. In these circumstances, Chamber Summons is granted in terms of prayer clause (a). Amendment to be carried out within two weeks. Amended plaint to be served on the defendants including the newly added defendant no.9. Additional Written Statement to be filed within a period of six weeks from the date of receipt of a copy of amended plaint.

3. As far as prayer clause (b) is concerned the same is not granted at this stage. It would be open for the plaintiff to take out appropriate proceedings in that behalf after the plaint is amended.

(S.C.DHARMADHIKARI, J.)